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THE CITY OF NEW YORK
LAW DEPARTMENT

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May 29, 2014

Via ECF

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *Botbol v. City of New York*, 05 civ. 1572 (RJS)(JCF)
Bunim v. City of New York, 05 Civ. 1562 RJS)(JCF)
Garbini v. City of New York, 05 Civ. 1564 RJS)(JCF)

Your Honor:

As counsel for defendants in the above-referenced actions, we write in connection with the motion for summary judgment to be filed tomorrow. Given the volume of the evidence in these RNC cases, particularly on the *Monell* issues, defendants respectfully request permission to submit their Rule 56.1 Statement of Undisputed Fact with citations to the documents and with only select supporting documents, rather than providing copies of all supporting documents. In the event that a fact is disputed by plaintiffs, defendants shall have an opportunity to produce the relevant documents. Additionally, defendants also respectfully request permission to refer to documents already in the record without providing them again.

A similar request was made and granted in connection with the summary judgment submissions of September 30, 2011 concerning the false arrest claims from arrests at East 16th Street and Church and Fulton Street (*see, e.g., Adams v. City of New York*, 05 civ. 9484, DE # 172) (docketed in all RNC cases on Sept. 30, 2011).

Respectfully submitted,

_____/s_____

Cheryl L. Shammas

Cc.: Plaintiffs' Counsel (via email and ECF)

SO ORDERED
Date:

[Signature]
RICHARD J. SULLIVAN
U.S.D.J.
5/30/14